

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

STEVEN E. FORTNEY,

Plaintiff,

v.

Capt. M. SCHULTZ, WILLIAM J. POLLARD,
MICHAEL BAENEN, PETTER ERICKSEN,
COIII ZAGER and COIII HOFFMAN,

Defendants.

ORDER

09-cv-527-slc

Plaintiff Steven Fortney, a prisoner at the Green Bay Correctional Institution in Green Bay, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis* and has paid an initial partial filing fee. Because plaintiff is a prisoner, this court is required under the 1996 Prison Litigation Reform Act to screen his complaint and dismiss any claims that are legally frivolous, malicious, fail to state a claim on which relief may be granted or seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2).

Accordingly, IT IS ORDERED that plaintiff Steven Fortney's complaint is taken under advisement. As soon as the court's calendar permits, plaintiff's complaint will be screened pursuant to 28 U.S.C. § 1915(e)(2) to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Plaintiff

will be notified promptly when such a decision has been made.

Entered this 9th day of September, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge